

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 75

January 31, 2011

SUMMARY OF BILL: Requires funeral directors to surrender custody of a dead body within four hours of receiving a written order, and to disclose this requirement to the purchaser of funeral services. Requires the Board of Funeral Directors and Embalmers to provide the opportunity for a hearing if a complaint is filed. Requires a minimum license suspension of 30 days for funeral directors and establishments determined to be in violation. Eliminates continuing education exemptions for licensees against whom the Board takes disciplinary action.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Not Significant

**Increase State Expenditures - \$10,500/One-Time/Board of Funeral Directors
and Embalmers**

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Other Fiscal Impact – According to the Department of Commerce and Insurance, the one-time expenditure of \$10,500 can be accommodated within the existing resources of the Board of Funeral Directors and Embalmers without raising licensure fees. In FY09-10, the Board had a closing balance of \$360,900 and a total balance of \$430,300.

Assumptions:

- According to the Department of Commerce and Insurance, the Board of Funeral Directors and Embalmers anticipates an increase in staff time during inspections and renewals of licenses as well as an increase in complaints.
- The Board will incur a one-time increase in expenditures of \$10,500, which includes \$5,000 for a rule-making hearing, \$2,500 in computer programming updates, \$2,000 for printing and mailing of notices to licensees, and \$1,000 for modifications to inspection forms.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all regulatory boards are required to be self-supporting over a two-year period. The Board of Funeral Directors and Embalmers had closing balances of \$360,873 in FY09-10 and \$69,404 in FY08-09.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/sbh